

CLASSIFICATION OFFICE DECISION

Title of publication: 3 (6)

Other known title(s): Not stated

OFLC ref: 1700385.011

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 07 August 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 August 2017

Summary of reasons for decision:

The computer image file explicitly depicts characters from a well-known animated television series engaged in sexual activity. The image does not promote and support the exploitation of children or young persons under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993, but it does deal with sexual conduct involving a child to a high extent and degree. It has the clear potential for attitudinal harm, by perpetuating the idea that child sexual abuse is a subject of titillation and amusement. There is a strong likelihood of injury to the public good from the trivialisation of such behaviour and attitudes, which is likely to have a detrimental effect on wider society. The classification of objectionable interferes with the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990, but is justifiable given the high risk of injury to the public good which cannot be adequately prevented by an age restriction.